

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JOSEPH TORRES,

Applicant,

v.

No. CIV-08-1202 WJ/LAM

GEORGE TAPIA, et al.,

Respondents.

**ORDER DENYING APPLICANT'S
PETITION FOR APPOINTMENT OF COUNSEL (Doc. 14)**

THIS MATTER is before the Court on Applicant Joseph Torres' second *Petition for Appointment of Counsel* (Doc. 14), filed on March 23, 2009. The Court has carefully considered the motion, the record of this case and relevant law, and **FINDS** that the motion should be **DENIED** at this time.

In his motion, Mr. Torres asks the Court to appoint counsel to represent him in this habeas proceeding. Mr. Torres previously filed a similar motion in this case which the Court denied. *See Order Denying Petition for Appointment of Counsel* (Doc. 8). Based on Mr. Torres' submissions, and the status of this case, the Court sees no reason, at this time, to appoint counsel for him in this proceeding. Therefore, for the same reasons stated in the Court's *Order Denying Petition for Appointment of Counsel* (Doc. 8), filed on February 2, 2009, the Court will deny his renewed request for the appointment of counsel at this time.

In his motion, Mr. Torres also asks the Court to provide him with transcripts related to this proceeding, but he fails to identify the transcripts that he wants provided. In an order filed concurrently with this Order, the Court has ordered Respondents to provide the Court, and

Mr. Torres, with copies of certain transcripts, tapes and compact disks related to matters at issue in Mr. Torres' application for habeas relief. The Court identified these transcripts, tapes and compact disks based on its review of the record of this case. Since the Court has ordered transcripts, tapes and compact disks that it deems necessary to decide this proceeding, it will deny Mr. Torres' request for transcripts at this time.

Based on the foregoing, the Court will deny Mr. Torres' *Petition for Appointment of Counsel* (Doc. 14), at this time.

IT IS THEREFORE ORDERED that Mr. Torres' *Petition for Appointment of Counsel* (Doc. 14) is **DENIED**, at this time.

IT IS SO ORDERED.


HONORABLE LOURDES A. MARTINEZ
UNITED STATES MAGISTRATE JUDGE

